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Supreme Court of the United States

OCTOBER TERM, 1914

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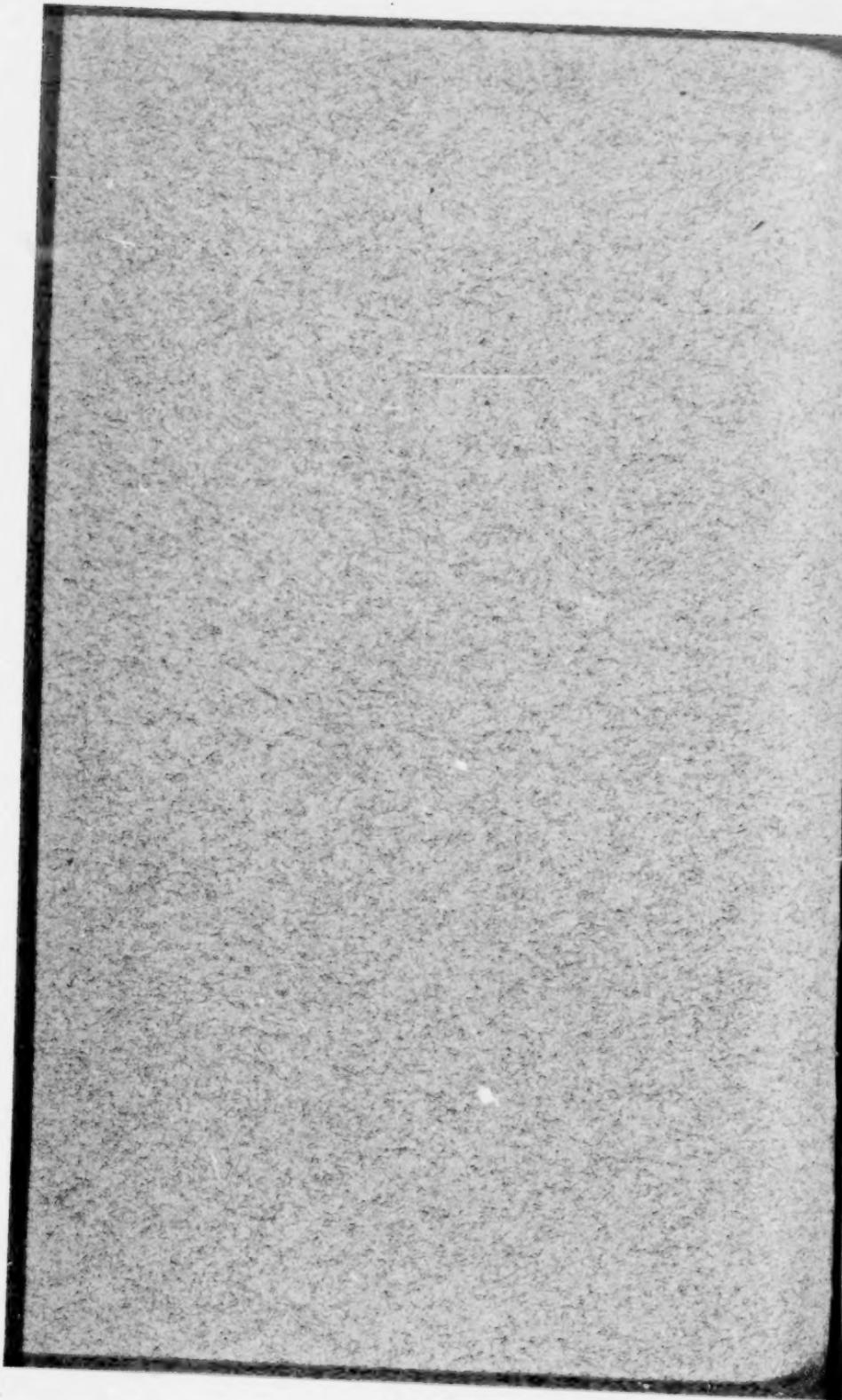
STATE OF NORTH CAROLINA, COMPLAINANT,

v.

STATE OF TENNESSEE, DEFENDANT.

REPORT OF COMMISSIONERS

L. B. BURNS.
W. D. HALE.
JOSEPH HYDE PRATT,
Chairman.



SUPREME COURT OF THE UNITED STATES

THE STATE OF NORTH CAROLINA, COMPLAINANT,
vs.

THE STATE OF TENNESSEE, DEFENDANT.

COMMISSIONERS REPORT

Pursuant to a decree of the Supreme Court of the United States, issued at the October Term, 1914, which appointed D. B. Burns of Asheville, N. C., W. D. Hale of Maryville, Tenn., and Addison, Ky., and Joseph Hyde Pratt of Chapel Hill, N. C., Commissioners to permanently mark and set monuments on the line in dispute in said controversy between said States, and which set out in detail the duties of said Commissioners, we, the said D. B. Burns, W. D. Hale and Joseph Hyde Pratt, Commissioners, do herewith respectfully submit our report.

We have, as ordered, reproduced on the accompanying map, No. 1, the State Line from Tree No. 1—the same being the 59th mile-tree marked by the Commissioners in 1821—southwestwardly to the point where the dispute began, which point is 15 feet south $32^{\circ} 46'$ west from Tree No. 29—the hemlock fore and aft tree marked by the Commissioners in 1821—just north of Little Tennessee River. The description of said reproduced line is as follows, viz.:

Beginning at the 59th mile tree, a large red oak or mountain oak, marked on the southeast side ⁵⁹_M. This tree stands in the Rich Gap of the Smoky Mountain, and 260 feet North $30^{\circ} 47'$ East from the lowest part of said gap, and runs with the meanders of the mountain South $25^{\circ} 50' 00''$ West 190 feet to a stake
thence South $43^{\circ} 55' 35''$ West 472 feet to a stake,
thence South $60^{\circ} 58' 55''$ West 212 feet to a stake,
thence South $83^{\circ} 18' 42''$ West 344 feet to a stake,
thence South $82^{\circ} 32' 00''$ West 235 feet to a stake,
thence South $55^{\circ} 05' 47''$ West 561 feet to a stake,
thence South $32^{\circ} 31' 35''$ West 545 feet to a stake,
thence South $51^{\circ} 24' 25''$ West 424 feet to a stake,
thence South $43^{\circ} 58' 57''$ West 284 feet to a stake,
thence South $40^{\circ} 20' 30''$ West 520 feet to a stake,
thence South $45^{\circ} 52' 47''$ West 332 feet to a stake,

thence South $0^{\circ} 30' 10''$ East 410 feet to a stake,
thence South $6^{\circ} 58' 06''$ East 191 feet to a stake,
thence South $2^{\circ} 26' 42''$ West, passing the Dalton Gap at 567 feet—a
very deep gap through which the Old Tellassee Trail passes, 1367.6 feet
to a stake,
thence South $65^{\circ} 58' 00''$ West 149 feet to a stake,
thence South $47^{\circ} 06' 05''$ West 516 feet to a stake,
thence South $62^{\circ} 08' 15''$ West 264 feet to a stake,
thence South $74^{\circ} 42' 15''$ West 155 feet to a stake,
thence South $53^{\circ} 02' 15''$ West 579 feet to a stake,
thence South $25^{\circ} 22' 15''$ West 134 feet to a stake,
thence South $15^{\circ} 59' 15''$ West 637 feet to a stake,
thence South $28^{\circ} 52' 30''$ West 783 feet to a stake,
thence South $33^{\circ} 43' 51''$ West 517 feet to a stake,
thence South $0^{\circ} 31' 51''$ East 279.5 feet to a stake,
thence South $5^{\circ} 31' 57''$ West, passing a pile of rocks at the supposed
location of the 61st mile tree at 423 feet, 463 feet to a stake,
thence South $2^{\circ} 40' 30''$ East 450 feet to a stake,
thence South $17^{\circ} 21' 33''$ West 451 feet to a stake,
thence South $41^{\circ} 01' 06''$ West 93 feet to a stake,
thence South $43^{\circ} 45' 39''$ West 511 feet to a stake,
thence South $17^{\circ} 49' 27''$ West 437 feet to a stake,
thence South $34^{\circ} 00' 30''$ West 246 feet to a stake,
the turnpike road in a deep gap,
thence South $73^{\circ} 30' 00''$ West 380.2 feet to a stake,
thence South $60^{\circ} 43' 30''$ West 125.4 feet to a stake,
thence South $52^{\circ} 18' 00''$ West 1304.4 feet to a stake,
thence North $72^{\circ} 19' 00''$ West 490 feet to a stake,
thence South $57^{\circ} 34' 00''$ West 450 feet to a stake,
thence North $63^{\circ} 18' 30''$ West 365 feet to a stake,
thence North $72^{\circ} 23' 00''$ West, passing the Locust Gap, where the 62d
mile tree is said to have stood, at 112 feet, 745 feet to a stake,
thence South $83^{\circ} 42' 00''$ West 539.7 feet to a stake,
thence South $34^{\circ} 25' 30''$ West 198.7 feet to a stake,
thence South $82^{\circ} 52' 30''$ West 531.6 feet to a stake,
thence South $54^{\circ} 14' 00''$ West 370 feet to a stake,
thence North $75^{\circ} 17' 30''$ West 550 feet to a stake,
thence South $76^{\circ} 15' 30''$ West 550 feet to a stake,
thence South $69^{\circ} 28' 30''$ West 200 feet to a stake,
thence South $85^{\circ} 32' 00''$ West 400 feet to a stake,
thence South $71^{\circ} 35' 00''$ West 670 feet to a stake,
thence South $66^{\circ} 21' 00''$ West, passing an 18" hickory, supposed to be
the 63d mile tree, at 344 feet, 500 feet to a stake,
thence South $10^{\circ} 59' 00''$ West 200 feet to a stake,
thence South $63^{\circ} 67' 00''$ West 150 feet to a stake,
thence South $27^{\circ} 44' 00''$ West 450 feet to the top of a high knob,
thence South $51^{\circ} 52' 00''$ West 580 feet to a stake,

thence South $56^{\circ} 03' 00''$ West 260 feet to a stake,
thence South $45^{\circ} 13' 30''$ West 390 feet to a stake,
thence South $65^{\circ} 48' 30''$ West 150 feet to a stake,
thence South $26^{\circ} 22' 00''$ West 220 feet to a stake,
thence South $16^{\circ} 12' 00''$ East 260 feet to a stake,
thence South $52^{\circ} 44' 30''$ West 390 feet to a stake,
thence South $17^{\circ} 48' 30''$ East 590 feet to the top of Lone Pine Knob,
thence North $73^{\circ} 47' 30''$ West 380 feet to a stake,
thence South $76^{\circ} 27' 30''$ West 610 feet to a stake,
thence South $66^{\circ} 20' 30''$ West 450 feet to a stake,
thence South $15^{\circ} 07' 30''$ West 350 feet to a stake,
thence South $59^{\circ} 33' 30''$ West 680 feet to a stake,
thence North $67^{\circ} 51' 30''$ West 470 feet to a stake,
thence South $49^{\circ} 24' 30''$ West, passing a fore and aft hemlock north of
Little Tennessee River at 775 feet, 790 feet to where the lines of con-
tention diverge, where we set up a rock 8 inches thick, 12 inches wide,
and 18 inches high, and cut on the southeast side of it N. C., on the north-
west side TENN., on the northeast side $0+00$, and on the southwest side
 1915 , and cut a X in the top of the rock. This is Monument No. 1.
From this point, on the 7th day of August, 1915, we began the survey
and marking of the line, marking side line trees with 3 hacks, and fore
and aft trees with 2 hacks above a blaze, as follows:

South $79^{\circ} 11' 00''$ West 135 feet to the river bank, thence down the
river on the north bank North $38^{\circ} 27' 30''$ West 285 feet to a stake,
thence North $26^{\circ} 43' 00''$ West 295 feet to a stake,
thence North $22^{\circ} 18' 30''$ West 385 feet to a stake,
thence North $56^{\circ} 42' 00''$ West, passing the stump of tree No. 30 at
259 feet, 619 feet to a stake,
thence North $78^{\circ} 55' 30''$ West 361 feet to a stake,
thence North $78^{\circ} 50' 00''$ West 242 feet to a stake,
thence South $85^{\circ} 11' 00''$ West 372.2 feet to a stake,
thence South $76^{\circ} 29' 30''$ West 276.5 feet to a boulder on the north bank of
Little Tennessee River at low water mark, said boulder is 4 feet
wide, 10 feet long and 3 feet high, and on it we cut a X, and on the
southeast side of the X we cut N. C., 1915, and on the northwest side,
TENN., $29+79.7$. This is Monument No. 2, thence South $54^{\circ} 38' 00''$
West 313 feet, crossing the river to a boulder on the south bank of the
river and on the west bank of Slick Rock Creek. This boulder is 6 feet
wide, 15 feet long and 4 feet high, and on it we cut a X, and on the
east side of the X we cut N. C., on the west side TENN., on the north
side 1915, and on the south side $32+83.7$. This boulder being 3283.7
feet from Monument No. 1. This is Monument No. 3. From this
point we ran up and with the bed of Slick Rock Creek as follows:
South $30^{\circ} 13' 00''$ East 209.3 feet to a X on a rock,
thence South $7^{\circ} 24' 00''$ West 494 feet to a X on a rock,
thence South $4^{\circ} 17' 00''$ East 630 feet to a X on a rock,
thence South $33^{\circ} 26' 00''$ West 360.7 feet to a X on a rock,

thence South $60^{\circ} 21' 00''$ West 505.7 feet to a X on a rock,
thence South $02^{\circ} 36' 30''$ East 427.6 feet to a X on a rock,
thence South $21^{\circ} 33' 30''$ East 305.6 feet to a X on a rock, near Ravens Den,
thence North $82^{\circ} 29' 30''$ West 649.4 feet to a X on a rock,
thence South $87^{\circ} 14' 30''$ West 173.5 feet to a X on a rock,
thence South $19^{\circ} 21' 30''$ West 273.3 feet to a X on a rock,
thence South $39^{\circ} 36' 30''$ East 171.0 feet to a X on a rock,
thence South $70^{\circ} 45' 00''$ East 320.3 feet to a X on a rock,
thence South $25^{\circ} 28' 00''$ East 177.9 feet to a X on a rock,
thence South $21^{\circ} 39' 30''$ West 289.0 feet to a X on a rock,
thence North $59^{\circ} 17' 30''$ West 728.4 feet to a X on a rock,
thence South $88^{\circ} 36' 30''$ West 858.0 feet to a X on a rock,
thence North $70^{\circ} 01' 30''$ West 481.6 feet to a X on a rock,
thence South $50^{\circ} 27' 30''$ West 413.0 feet to a X on a rock,
thence South $3^{\circ} 19' 00''$ West 320.0 feet to a X on a rock, at top of lower falls,
thence South $47^{\circ} 27' 00''$ East 464.0 feet to a X on a rock,
thence South $47^{\circ} 15' 00''$ West 113.9 feet to a X on a rock,
thence North $82^{\circ} 52' 00''$ West 531.4 feet to a X on a rock,
thence South $38^{\circ} 42' 00''$ West 172.7 feet to a X on a rock,
thence South $14^{\circ} 09' 00''$ East 534.6 feet to a X on a rock,
thence South $5^{\circ} 09' 30''$ West 798.9 feet to a X on a rock,
thence South $12^{\circ} 26' 30''$ East 257.7 feet to a X on a rock,
thence South $38^{\circ} 02' 30''$ East 291.8 feet to a X on a rock,
thence South $37^{\circ} 20' 30''$ West 236.0 feet to a X on a rock, near the mouth of Slick Rock Gap branch,
thence North $57^{\circ} 33' 30''$ West 485.5 feet to a X on a rock,
thence North $85^{\circ} 41' 30''$ West 432.3 feet to a X on a rock,
thence South $17^{\circ} 13' 00''$ West 432.3 feet to a X on a rock in Slick Rock Creek, near the west bank, and about 30 feet above where the Belding Trail crosses the creek. This rock is 3 feet wide, 5 feet long and 2 feet high. On it we cut a X and cut N. C. on the southeast side, TENN. on the northwest side, 1915 on the southwest side and 156+69.8 on the northeast side of the cross. This is Monument No. 4.
Thence South $23^{\circ} 40' 30''$ West 189.9 feet to a X on a rock,
thence North $75^{\circ} 04' 30''$ West 279.3 feet to a X on a rock,
thence North $47^{\circ} 01' 30''$ West 870.5 feet to a X on a rock,
thence North $72^{\circ} 23' 00''$ West 320.5 feet to a stake,
thence South $19^{\circ} 47' 30''$ West, passing the mouth of Little Slick Rock Creek at 85 feet, 685.2 feet to a X on a rock,
thence South $41^{\circ} 03' 00''$ West 465.5 feet to a X on a rock,
thence South $24^{\circ} 22' 00''$ West, passing the mouth of Nichols Cove Branch at 140 feet, 622.8 feet to a X on a rock,
thence South $6^{\circ} 35' 30''$ West 275.5 feet to a X on a rock,
thence South $26^{\circ} 39' 00''$ West 518.0 feet to a X on a rock,

thence South $1^{\circ} 58' 00''$ East 507.5 feet to a X on a rock at the Panther Den,
thence South $58^{\circ} 02' 00''$ West 276.7 feet to a X on a rock,
thence South $39^{\circ} 07' 30''$ West 135.6 feet to a X on a rock,
thence South $82^{\circ} 52' 30''$ West 287.2 feet to a X on a rock,
thence North $56^{\circ} 19' 30''$ West 335.0 feet to a X on a rock,
thence North $52^{\circ} 35' 30''$ West 304.0 feet to a X on a rock,
thence South $84^{\circ} 13' 30''$ West 281.8 feet to a X on a rock,
thence South $43^{\circ} 16' 30''$ West 254.8 feet to a X on a rock,
thence South $9^{\circ} 07' 00''$ East 154.4 feet to a X on a rock,
thence South $36^{\circ} 44' 00''$ East 179.6 feet to a X on a rock,
thence South $14^{\circ} 15' 00''$ West 173.4 feet to a X on a rock,
thence North $86^{\circ} 45' 30''$ West 322.0 feet to a X on a rock,
thence North $71^{\circ} 16' 00''$ West 251.4 feet to a X on a rock,
thence North $17^{\circ} 05' 30''$ West 405.2 feet to a X on a rock,
thence North $68^{\circ} 35' 00''$ West 329.5 feet to a X on a rock,
thence South $43^{\circ} 09' 00''$ West 207.3 feet to a X on a rock,
thence South $23^{\circ} 56' 30''$ West 369.9 feet to a X on a rock,
thence South $44^{\circ} 30' 30''$ West 82.0 feet to a X on a rock,
thence South $4^{\circ} 47' 00''$ West 425.1 feet to a X on a rock,
thence South $8^{\circ} 51' 00''$ East 129.6 feet to a X on a rock,
thence South $53^{\circ} 26' 00''$ West 599.4 feet to a X on a rock,
thence South $2^{\circ} 30' 00''$ East 254.6 feet to a X on a rock,
thence South $16^{\circ} 07' 30''$ East 168.6 feet to a X on a rock,
thence South $35^{\circ} 12' 00''$ West 370.0 feet to a X on a rock,
thence North $67^{\circ} 59' 30''$ West 393.4 feet to a X on a rock at the mouth
of a small branch,
thence South $14^{\circ} 36' 30''$ West 494.0 feet to a X on a rock,
thence South $70^{\circ} 54' 00''$ West 160.5 feet to a X on a rock,
thence North $66^{\circ} 12' 00''$ West 561.2 feet to a X on a rock,
thence South $68^{\circ} 50' 00''$ West 197.3 feet to a X on a rock,
thence South $18^{\circ} 18' 30''$ West 350.1 feet to a X on a rock,
thence South $45^{\circ} 16' 30''$ East 241.9 feet to a X on a rock,
thence South $50^{\circ} 11' 30''$ East 281.8 feet to a X on a rock,
thence South $43^{\circ} 40' 30''$ West 316.2 feet to a X on a rock,
thence South $11^{\circ} 19' 30''$ West 238.6 feet to a stake,
thence North $83^{\circ} 33' 30''$ East 314.4 feet to a X on a rock,
thence South $0^{\circ} 44' 00''$ East 193.8 feet to a X on a rock at the mouth
of a small branch,
thence South $34^{\circ} 02' 30''$ West 240.0 feet to a X on a rock,
thence South $11^{\circ} 40' 00''$ East 206.7 feet to a X on a rock,
thence South $40^{\circ} 51' 00''$ West 539.3 feet to a X on a rock,
thence South $10^{\circ} 18' 30''$ East, passing the foot of falls at 198 feet,
247.6 feet to a X on a rock,
thence South $73^{\circ} 41' 00''$ East 134.2 feet to a X on a rock in the falls,
thence South $12^{\circ} 37' 00''$ West 262.6 feet to a X on a rock in the falls,

thence South $0^{\circ} 30' 00''$ West 326.6 feet to a stake,
thence South $5^{\circ} 30' 30''$ West 819.4 feet to a stake,
thence South $40^{\circ} 32' 00''$ East 262.5 feet to a stake,
thence South $41^{\circ} 19' 00''$ East 343.9 feet to a stake,
thence South $29^{\circ} 48' 00''$ West 14.9 feet to a large boulder on the Stratton Bald Mountain, at its junction with Big Fodderstack Mountain, and at the point where the two lines of contention join. This boulder is Monument No. 8, and is 3 feet wide at its base, 10 feet long and 3 feet high. On the top of this boulder we cut a X, on the southeast side N. C., 601+40.7, and on the northwest side TENN., 1915. This boulder stands 60,140.7 feet from Monument No. 1. Thence along the top of the main ridge that divides the waters of Citico Creek, North Fork of Tellico River and Sycamore Creek from the waters of Santeetlah and Snowbird creeks, as follows:
thence South $73^{\circ} 34' 00''$ West 194.0 feet to a stake,
thence South $50^{\circ} 34' 30''$ West 393.6 feet to a stake,
thence South $52^{\circ} 49' 30''$ West 84.0 feet to a stake,
thence South $50^{\circ} 55' 30''$ West 178.0 feet to a stake,
thence South $31^{\circ} 43' 30''$ West 301.0 feet to a stake,
thence South $32^{\circ} 02' 30''$ West 1575.8 feet to a stake,
thence South $48^{\circ} 45' 30''$ West 631.2 feet to a stake,
thence South $24^{\circ} 54' 30''$ West 113.5 feet to a stake,
thence South $25^{\circ} 23' 30''$ West 581.5 feet to a stake,
thence South $31^{\circ} 27' 30''$ West 502.0 feet to a stake,
thence South $31^{\circ} 55' 30''$ West 143.2 feet to a stake,
thence South $35^{\circ} 18' 00''$ West 364.8 feet to a stake,
thence South $35^{\circ} 39' 00''$ West 623.6 feet to a stake,
thence South $8^{\circ} 58' 30''$ West 480.4 feet to a stake,
thence South $40^{\circ} 26' 00''$ West 523.0 feet to a stake,
thence South $59^{\circ} 35' 00''$ West 768.0 feet to a stake,
thence South $12^{\circ} 45' 00''$ West, crossing the Tellico Trail at 297 feet, on top of the Strawberry Knob, 639.3 feet to a stake,
thence South $71^{\circ} 42' 30''$ West 591.7 feet to a stake,
thence South $86^{\circ} 36' 30''$ West 209.3 feet to a stake,
thence South $68^{\circ} 49' 30''$ West 477.7 feet to a stake,
thence North $71^{\circ} 42' 00''$ West 332.5 feet to a stake,
thence South $79^{\circ} 01' 00''$ West 362.8 feet to a stake,
thence South $70^{\circ} 57' 00''$ West 412.4 feet to a stake,
thence South $73^{\circ} 39' 00''$ West 383.9 feet to a stake at Rock Stop Bear Stand;
thence South $28^{\circ} 26' 00''$ West 389.1 feet to a stake,
thence South $45^{\circ} 42' 00''$ West 281.3 feet to a stake,
thence South $72^{\circ} 20' 30''$ West 490.3 feet to a stake,
thence South $73^{\circ} 31' 30''$ West 352.7 feet to a stake,
thence South $72^{\circ} 44' 30''$ West 227.3 feet to a stake,
thence South $25^{\circ} 09' 00''$ West 208.0 feet to a stake,
thence South $26^{\circ} 31' 00''$ West 598.7 feet to a stake in Beech Gap.

thence South $11^{\circ} 01' 00''$ West 269.0 feet to a stake,
thence South $59^{\circ} 51' 30''$ East 403.0 feet to a stake,
thence South $35^{\circ} 55' 30''$ East 161.0 feet to a stake,
thence South $36^{\circ} 36' 30''$ East 369.0 feet to a stake,
thence South $32^{\circ} 28' 30''$ East 1272.4 feet to a stake,
thence South $36^{\circ} 24' 00''$ West 142.9 feet to a stake,
thence South $37^{\circ} 42' 30''$ West 391.9 feet to a stake,
thence South $47^{\circ} 53' 00''$ West 292.8 feet to a stake,
thence South $12^{\circ} 09' 30''$ West 668.7 feet to a stake,
thence South $0^{\circ} 58' 00''$ West 631.3 feet to a stake,
thence South $76^{\circ} 29' 00''$ East 586.4 feet to a stake,
thence North $75^{\circ} 12' 00''$ East 187.6 feet to a stake,
thence South $81^{\circ} 49' 00''$ East 431.4 feet to a stake,
thence South $66^{\circ} 09' 30''$ East, passing Stratton's Grave on the crest of
the mountain at 148 feet, 245.4 feet to a stake,
thence South $25^{\circ} 50' 30''$ East, passing the John Meadows Gap at 168
feet, 688.4 feet to a stake,
thence South $19^{\circ} 13' 00''$ East 283.7 feet to a stake,
thence South $22^{\circ} 35' 30''$ East 490.5 feet to a stake,
thence South $25^{\circ} 04' 30''$ East 144.0 feet to a stake,
thence South $18^{\circ} 23' 30''$ West 785.0 feet to a stake on the top of John
Knob,
thence South $39^{\circ} 58' 00''$ West 148.4 feet to a stake,
thence South $38^{\circ} 22' 00''$ West 147.6 feet to a stake,
thence South $48^{\circ} 28' 00''$ West 434.0 feet to a stake,
thence South $15^{\circ} 49' 00''$ West 746.6 feet to a stake,
thence South $5^{\circ} 26' 00''$ West 341.0 feet to a stake,
thence South $2^{\circ} 42' 00''$ East 583.4 feet to a stake,
thence South $17^{\circ} 49' 00''$ West 371.0 feet to a stake,
thence South $20^{\circ} 38' 00''$ West 290.6 feet to a stake,
thence South $19^{\circ} 42' 30''$ West 384.6 feet to a stake,
thence South $20^{\circ} 37' 30''$ West 317.9 feet to a stake,
thence South $12^{\circ} 47' 00''$ East 312.9 feet to a stake,
thence South $25^{\circ} 10' 00''$ West 515.6 feet to a stake,
thence South $17^{\circ} 15' 00''$ West 248.3 feet to a stake,
thence South $22^{\circ} 53' 00''$ West 284.5 feet to a stake,
thence South $18^{\circ} 25' 00''$ West 514.2 feet to a stake,
thence South $1^{\circ} 00' 00''$ East 673.6 feet to the top of Little Haw Knob,
thence South $11^{\circ} 31' 30''$ West 370.2 feet to a stake,
thence South $15^{\circ} 43' 30''$ East 502.2 feet to a stake,
thence South $30^{\circ} 35' 30''$ East passing McClelland's mile stone marked
X. C. 78 at 303 feet, 346.8 feet to a stake,
thence South $54^{\circ} 38' 30''$ East 243.6 feet to a stake,
thence South $67^{\circ} 13' 30''$ East 344.6 feet to a stake,
thence South $79^{\circ} 08' 30''$ East 593.5 feet to a stake,
thence South $83^{\circ} 36' 00''$ East 355.5 feet to a stake,
thence South $86^{\circ} 36' 30''$ East 392.5 feet to a stake,

thence South $79^{\circ} 41' 30''$ West 411.1 feet to a stake,
 thence South $69^{\circ} 40' 00''$ West 153.7 feet to a stake,
 thence South $51^{\circ} 32' 30''$ West 378.4 feet to a stake,
 thence South $72^{\circ} 12' 00''$ West 232.4 feet to Monument No. 11—a Stone
 6 inches thick, 14 inches wide and 18 inches high. On the top of it we
 cut a X; on the southeast side N. C.; on the southwest side 1915; on
 the northwest side TENN.; on the northeast side 1210+69.0.

This Stone stands 121,069 feet from Monument No. 1 and 61 feet
 from the northeast bank of Tellico River, thence crossing Tellico River
 South $50^{\circ} 44' 30''$ West 138.0 feet to a stake,
 thence South $36^{\circ} 48' 30''$ West 197.7 feet to a stake,
 thence South $43^{\circ} 47' 30''$ West 81.9 feet to a stake,
 thence South $30^{\circ} 17' 30''$ West 120.1 feet to a stake,
 thence South $35^{\circ} 52' 30''$ West 202.1 feet to a stake,
 thence South $48^{\circ} 47' 00''$ West passing the 86 mile tree, an 18 inch holly
 marked 86 M at 95 feet, 131.7 feet to a stake,
 thence South $35^{\circ} 26' 00''$ West 396.4 feet to a stake,
 thence South $17^{\circ} 33' 30''$ West 147.4 feet to a stake,
 thence South $34^{\circ} 03' 30''$ East 439.7 feet to a stake,
 thence South $10^{\circ} 32' 00''$ East 242.5 feet to a stake,
 thence South $46^{\circ} 26' 00''$ West 415.3 feet to a stake,
 thence South $87^{\circ} 32' 00''$ West 286.3 feet to a stake,
 thence South $70^{\circ} 18' 00''$ West 354.0 feet to a stake,
 thence South $35^{\circ} 37' 30''$ West 431.3 feet to a stake,
 thence South $58^{\circ} 28' 00''$ West 472.4 feet to a stake,
 thence South $5^{\circ} 00' 30''$ West 293.4 feet to a stake,
 thence South $75^{\circ} 17' 30''$ West 584.3 feet to a stake,
 thence South $24^{\circ} 37' 30''$ West 357.1 feet to a stake,
 thence South $74^{\circ} 21' 30''$ West 309.8 feet to a stake,
 thence South $21^{\circ} 48' 30''$ West 445.6 feet to a stake,
 thence South $39^{\circ} 11' 00''$ West 460.3 feet to a stake,
 thence South $64^{\circ} 02' 00''$ West 261.5 feet to the top of Jenks Knob at the
 point where the two lines of contention join. Here we set up Monument
 No. 12—a Stone 4 inches thick, 8 inches wide and 18 inches high on top
 of which we cut a X; on the southeast side N. C.; on the southwest side
 1915; on the northwest side TENN., and on the northeast side 1277+
 48.2. This stone stands 127,748.2 feet from Monument No. 1, and at
 the end of the contention in this cause.

Signed this the 20th day of October, 1915,

(Signed) D. B. BURNS,

(Signed) W. D. HALE,

(Signed) JOSEPH HYDE PRATT,

Chairman.

CHARTS

TOO

LARGE

FOR

FILMING



North Carolina-Tennessee State Boundary Commission

CHAPEL HILL, N. C., October 29, 1915.

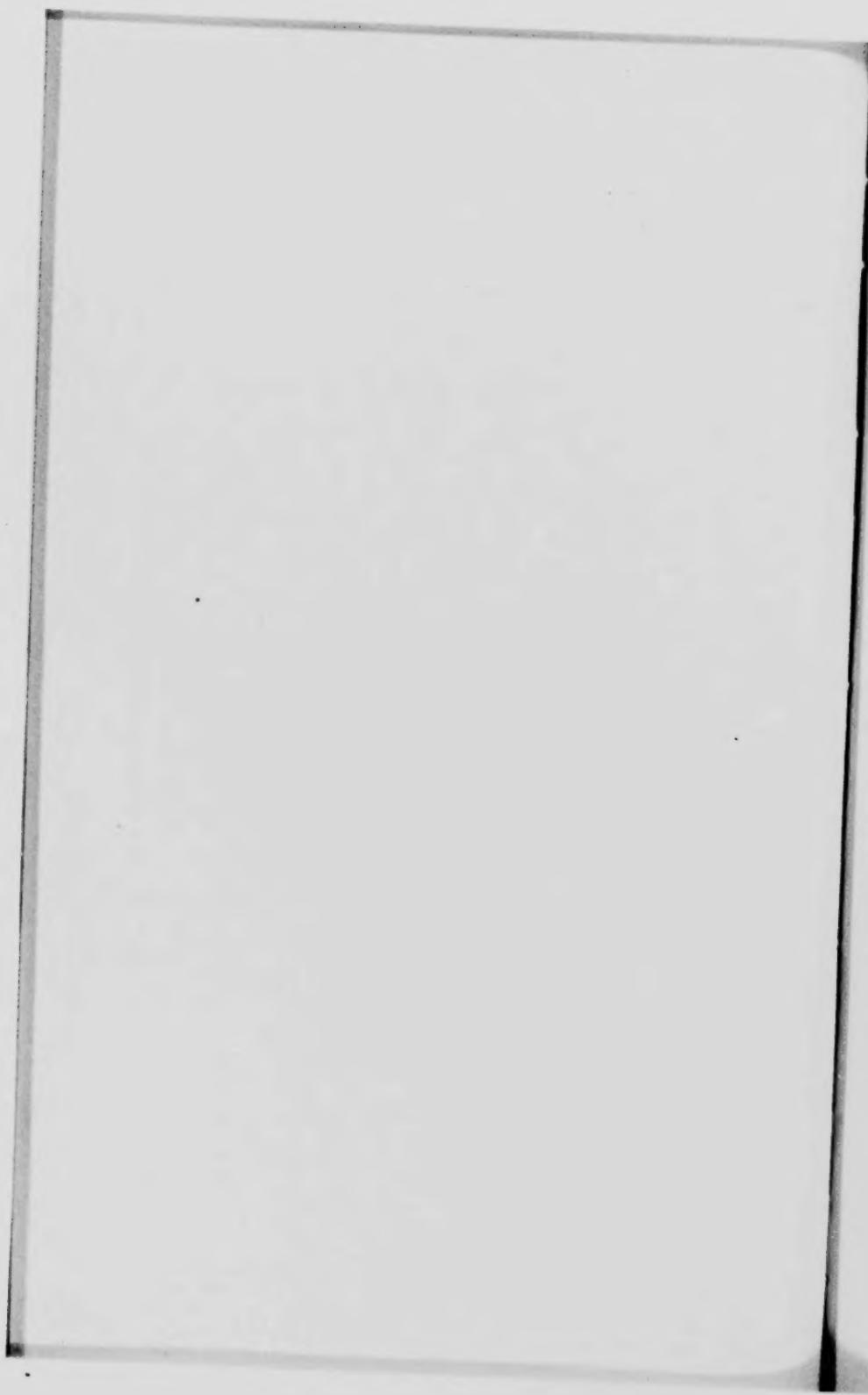
To the Honorable, the Supreme Court of the United States.

Sirs:—According to instructions received from your honorable body, the commission appointed pursuant to the decree entered in this cause (the State of North Carolina, Plaintiff, v. The State of Tennessee) on the 9th day of November, 1914, has performed the duties assigned to it, and herewith submits its report.

Before beginning the aerial survey, your commission met at Maryville, Tennessee, and proceeded to Cheoah Camp, where a conference was held in regard to the work. Your commission were all in accord as to the manner in which the survey should be made and the method for marking the boundary line. The characters of the monuments used are described in detail in the report. The actual surveying and installation of the monuments was done by Messrs. Hale and Burns. Your commission as a whole went over the line established, and the work done was unanimously approved.

Respectfully,

JOSEPH HYDE PRATT,
Chairman.



FILED
MAR 17 1916
JAMES D. MAHER
CLERK

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1915.

No. 4, Original.

IN EQUITY.

THE STATE OF NORTH CAROLINA, COMPLAINANT,

vs.

THE STATE OF TENNESSEE, DEFENDANT.

MOTION FOR PERMISSION TO FILE REPORT OF COMMISSIONERS AND FOR ENTRY OF A DECREE OF CONFIRMATION THEREON.

To the Honorable the Chief Justice and the Associate Justices of the Supreme Court of the United States:

Comes now the complainant, State of North Carolina, by her Attorney General, T. W. Bickett, and respectfully moves the court:

1. For permission to file the report of the Commissioners, D. B. Burns, W. D. Hale, and Joseph Hyde Pratt, heretofore

appointed by this court, which report is signed the 24th day of October, 1915, and which is herewith tendered.

2. For an order for the entry of a form of decree confirming said report, which is likewise herewith tendered.

And so complainants will ever pray.

T. W. BICKETT,
Attorney General of North Carolina.

The State of Tennessee joins in the foregoing motion.

FRANK M. THOMPSON,
Attorney General of Tennessee.

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1915.

No. 4, Original.

In Equity.

STATE OF NORTH CAROLINA, *Complainant,**vs.*STATE OF TENNESSEE, *Defendant.*

Decree of Confirmation.

This cause coming on to be heard on the 17th day of March, 1916, on the proceedings heretofore had herein, and upon the report of D. B. Burns, W. D. Hale, and Joseph Hyde Pratt, Commissioners appointed by the deereetal order heretofore made in the above-entitled cause, to ascertain, retrace, remark, and re-establish the real, certain, and true boundary line between the States of North Carolina and Tennessee, between the 59th mile tree designated on Complainant's Exhibit "D," facing page 256 of the printed record in this cause, to Jenks' Knob, at the point so designated on said Exhibit "D," which report, with the map accompanying the same, is annexed hereto and made a part hereof, and ordered to be entered herewith, and it appearing to the court that the said report is unexcepted to by either party in any respect, now, therefore, upon the motion of the State of North Carolina, by her Attorney General, concurred in by the State of Tennessee, by her Attorney General, it is ordered that said report be and the same is hereby in all things confirmed.

It is therefore ordered, adjudged, and decreed that the real, certain, and true boundary line between the States of North Carolina and Tennessee, from the said 59th mile tree to said Jenks' Knob, is as described and delineated in said report, and map accompanying the same, of the said Commissioners.